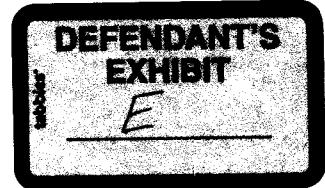


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil No. 1:12CV1349

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
TERRY S. JOHNSON, in his)
official capacity as ALAMANCE)
COUNTY SHERIFF,)
)
Defendant.)



DEPOSITION
OF
TIMOTHY JEROME BRITT

Greensboro, North Carolina
October 3, 2013
9:23 a.m.

Reported by:
Rebecca P. Scott

1 Ben, there is you a set.

2 Q. Other than this letter that you just read part of,
3 did you bring any other documents with you today?

4 A. Yes, I did. I brought one other set of documents,
5 which is a copy of an informational flyer
6 regarding the National Sheriff's Border School and
7 Border Tour, and I brought copies of that as well.
8 Would you like to see that?

9 Q. Would you give me a copy of that, please.

10 A. Yes, sir.

11 Q. Thank you.

12 THE WITNESS: I'm sorry. Do you need
13 one, too?

14 MR. FLEISHER: Thank you.

15 Q. Thank you. Those are the only documents you
16 brought with you today?

17 A. Yes, sir.

18 Q. Do you understand that this deposition is being
19 taken under oath subject to the penalty of
20 perjury?

21 A. I do.

22 Q. Do you understand that that's the same oath that's
23 taken by witnesses who testify at trial?

24 A. Yes, sir.

25 Q. Okay. Have you ever worn a T-shirt to the

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1 Sheriff's Office that said, "It's a white thing.
2 You wouldn't understand"?
3 A. Absolutely not.
4 Q. Have you ever worn a T-shirt that read anything
5 similar to that?
6 A. No. I've never wore a T-shirt to work.
7 Q. You've never worn - have you ever worn a T-shirt
8 under your Sheriff's Office uniform?
9 A. When I was on the line, I wore a vest. Since
10 then, no. Now a vest, you know, looks like a
11 T-shirt. You know, it's - to clarify, you know,
12 your vest panels go in - it looks like a shirt. I
13 wore that when I was on the line 25 years ago.
14 Q. Have you ever worn any article of clothing that
15 had printed on it the message, "It's a white
16 thing. You wouldn't understand"?
17 A. No.
18 Q. Do you know Officer Brian Allen?
19 A. I do.
20 Q. Have you ever hung out with Officer Allen socially
21 outside of work?
22 A. Yeah. He and I were partners in the '90s in the
23 Detective Division and worked there - my entire
24 career he's been there.
25 Q. Have you ever gone to the beach with Mr. Allen?

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1 A. Yes.

2 Q. Not any statistical analysis?

3 A. I did not do any statistical analysis, no.

4 Q. Have you ever done any analysis of the ethnicity

5 of people who are arrested versus the ethnicity of

6 people who are cited for not having a driver's

7 license?

8 A. No.

9 Q. At a staff meeting did Sheriff Johnson instruct

10 officers to arrest drivers when they did not have

11 a license?

12 A. Did the sheriff instruct officers to arrest people

13 who did not have licenses? No.

14 Q. You don't remember at a staff meeting the sheriff

15 saying something along the lines of if someone

16 does not have a license, they should be arrested?

17 A. Along the lines, I remember the sheriff making a

18 comment that if people didn't have licenses and

19 you couldn't identify them and know who they were,

20 then they should arrest them, and he didn't care

21 who they were. Because, there again, part of that

22 is when these people don't go to court, we get

23 warrants. We have to go out and hunt for folks on

24 fail-to-appear warrants because they didn't appear

25 on their citation, but not just for not having a

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1 license.

2 Q. What do you remember the sheriff saying exactly?

3 A. I don't remember exactly. You asked me along
4 those lines, and my recollection was that he had
5 spoke to the fact that people that were no
6 operator's license - NOL would be the term that
7 cops use - and they don't have - you're not able
8 to identify who they are, then they should be
9 arrested, or something along those lines, that it
10 was creating an issue, but not just not having a
11 license, and just something along those lines. I
12 can't give you a direct quote.

13 Q. So is it fair to say that officers at the
14 Sheriff's Office know that the sheriff wants them
15 to arrest some - wants them to arrest drivers for
16 NOL if the officers can't identify who the driver
17 is?

18 A. Well, I don't know that it's fair to say that at
19 all. I don't know what the officers know. I
20 remember there being a conversation about that,
21 but I don't think so and I don't think that's the
22 case.

23 Q. Well, the sheriff said at a staff meeting that if
24 a driver didn't have a license and could not be
25 identified, then the driver should be arrested,

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1 right?

2 A. You asked me - let's help - maybe I'm parsing this
3 too much. You asked me had the sheriff ever told
4 people at the staff meeting to arrest people
5 without licenses. I said I didn't know. Then you
6 said well, something along those lines.

7 I said what I recall - and it's been sometime
8 ago - there was a conversation by the sheriff
9 about people not having licenses, not being able
10 to identify them, and the problem it created in
11 the court system and also created for people who
12 may have been erroneously - the same example I
13 gave of you two awhile ago. One give the other's
14 name creates a problem. I remember that being
15 discussed in a staff meeting.

16 I do not remember that being a directive or
17 being something that he ordered officers to do or
18 that officers - you asked me would that be - they
19 would know that that was his wishes. That's me
20 trying to get in their head and his head.

21 Q. Okay. But the sheriff said at a staff meeting
22 that it was a problem that people did not have
23 licenses and could not be identified?

24 A. I said that I remember there being a discussion
25 where the sheriff mentioned that people not being

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1 licensed and having ID that they should - you
2 know, there should be an arrest, but I don't
3 remember the exact quote, and I'm not going to sit
4 here and say he said this.

5 Q. Okay. When the sheriff says something in a staff
6 meeting, are the supervisors at that meeting
7 expected to pass that along to the officers who
8 work under them?

9 A. Sure. If he gives a directive, sure.

10 Q. What should officers do if they encounter someone
11 without a license who they believe is not a US
12 citizen?

13 A. Well, I don't know that US citizen has anything to
14 do with it. It's about being able to determine
15 who they are, and they should treat it just like
16 any other violation. If he doesn't have a
17 license, you go through the same four - you have
18 the same four options, and the officer should
19 build on those options.

20 Q. Okay. And does it - again, thinking about what
21 we've been talking about here, you know, when
22 officers should arrest someone who doesn't have a
23 license and can't be identified, is that true even
24 if the driver isn't suspected of any other crimes?

25 A. Well, once again, that analogy we did was what I

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1 would do.

2 | Q. Okay.

3 A. And so driving without a license is a crime and is
4 a real crime with real consequences. So you said
5 in light of any other charge, so the officer
6 followed those same good practices. It's his
7 decision. But, yes, people can be arrested for
8 driving without a license.

9 Q. And it doesn't matter to you what they're - if the
10 driver is suspected of other criminal activity in
11 addition to the---

12 A. Well, other criminal activity just simply ups the
13 ante a little bit, so to speak, and may influence
14 more.

15 Q. But even if there is no suspicion of other
16 criminal activity, they can still be arrested -
17 they still would be arrested, at least by you, if
18 there is no other way to identify them, is that
19 right?

20 A. Probably so, yes.

21 Q. I just handed you what the court reporter has
22 marked Exhibit Number 2. This is an e-mail that
23 Alan Miles sent to you in September of 2012, is
24 that right?

25 (Deposition Exhibit Number 2 was marked

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1 A. Yes.

2 Q. Was the new program that you described of checking
3 CAD for the possible missing citations or traffic
4 stops - was that partly in response to the
5 publicity from Laura Roselle?

6 A. I would say part of the publicity created us to
7 look at a better way of capturing our data or
8 another round, but the public criticism or the
9 report from her was on citations, not stops.

10 There are many citations issued that are not
11 affiliated with stops.

12 And we had - at that same time frame in '09,
13 had changed - was in the process of changing our
14 records - actually in '08 - our records management
15 system and had identified some reporting issues
16 with the State and were already talking with the
17 State about ways to make our traffic stop data
18 better.

19 Q. Okay. So do you know whether officers, prior to
20 March of 2009, consistently turned in stop reports
21 when they made a stop?

22 A. I don't know. I wasn't charged with that task
23 prior to me getting involved about this time with
24 it.

25 Q. In what - you also mentioned citations. Well, I'm

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1 sorry. Strike that. Let me back up.

2 Does anyone - when Kim Wilson or one of the
3 other captains at the Sheriff's Office reviews
4 traffic stop reports, what does she look for?

5 A. She's reviewing that there is a stop, that the
6 stop form is completed, and that it matches the
7 CAD to show that we are fully documenting all of
8 our stops appropriately.

9 Q. Okay. And after she finishes her review, is there
10 any additional review by anyone above Captain
11 Wilson in the chain?

12 A. I generally look every month at the report that
13 goes - well, actually after - well, yes, and there
14 is also review by the public because since then -
15 and the biggest - when I said part in response to
16 Laura Roselle earlier - what we did do in part to
17 Laura Roselle's public - was we started posting -
18 and I think we're one of the few in the state -
19 started posting our traffic stop data on our Web
20 page and have been doing so ever since so that the
21 public could see for themselves the total number
22 of stops - all the data that is on the stop form
23 is posted on our public Web site. That's what we
24 did in response to Ms. Roselle.

25 Q. Okay.

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1 A. And I look at that report every month.

2 Q. When you review the traffic stop reports after

3 Captain Wilson does, what do you look for?

4 A. I just look at the entire report.

5 Q. What are you checking on the reports? What are

6 you looking at?

7 A. I look at the entire report. I look at the number

8 of stops, the purpose codes. I just - it's a

9 general report just like it's posted, and I just

10 look at it.

11 Q. Okay. Do you look at any of the individual stop

12 reports?

13 A. Very rarely. No.

14 Q. Other than Captain Wilson and you, does anyone

15 else in the command staff review the traffic stop

16 reports?

17 A. I don't know.

18 Q. Are you aware of anyone who does?

19 A. I don't know.

20 Q. Okay. So you're not aware of anyone else who

21 reviews them?

22 A. Yeah, that would be fair. I don't know. I'm not

23 aware.

24 Q. Okay. So does anyone at the Sheriff's Office

25 review traffic stops - conduct any review to see

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1 the federal ICE officers. That's how they
2 classified somebody's status. Either they were
3 here legally or illegally.

4 Q. Do you think illegals is an appropriate way to
5 refer to people who are not in the United States
6 lawfully?

7 A. What I just spoke about was the status of persons
8 that ICE had encountered - federal ICE officers.
9 They set the policy on that. That's how they
10 determine---

11 Q. But I'm asking you, do you think the term
12 "illegals" is an appropriate way to refer to
13 individuals who are not lawfully in the United
14 States?

15 A. If they're not lawfully in the United States,
16 either you are legally here or you're illegally
17 here. If you're here illegally, then you're here
18 illegally.

19 Q. So the term illegal is appropriate to use to
20 describe those people?

21 A. If someone is here illegally - if their status has
22 been determined to be here illegally, sure.
23 Federal government - that's your - that's the
24 federal government's terms.

25 Q. Have you ever heard anyone in the Sheriff's Office

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1 use the term "wetback" to describe a Hispanic
2 person?

3 A. Any one of the officers?

4 Q. Anyone who works at the Sheriff's Office.

5 A. No, not employees. I mean I'm 45 years old. I've
6 heard that term before, but I've not heard anybody
7 in the office.

8 Q. Have you ever heard anyone in the Sheriff's Office
9 use the term "spic" to describe Hispanic people?

10 A. No, not that I recall.

11 Q. How about the term "beaners"?

12 A. Not that I recall.

13 Q. Would you recall if you heard someone use the term
14 "spic" to describe Hispanics?

15 A. I think if I remembered a case of that - I do
16 think I'd remember it. I think it would be
17 inappropriate. I don't remember ever hearing that
18 term.

19 Q. Have you heard the term "taco eaters"?

20 A. Have I ever heard the term? I've heard it quite a
21 bit since you filed your complaint. I read it in
22 your complaint.

23 Q. Have you heard it used by anyone at the Sheriff's
24 Office?

25 A. No.

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1 Q. Have you ever heard Sheriff Johnson say at a staff
2 meeting if officers stop a Hispanic person for a
3 traffic offense, they should bring that person to
4 jail?

5 A. If someone stopped somebody for a traffic offense,
6 they should bring them to jail? No, I have never
7 heard that statement.

8 Q. Have you ever heard Sheriff Johnson say anything
9 similar to that?

10 A. No. You couldn't bring somebody to jail for a
11 traffic offense anyway. They'd have to be only
12 certain offenses, but no, I've not heard anything
13 like that.

14 Q. Have you ever heard Sheriff Johnson say that he
15 wanted officers to bring him Mexican meat at a
16 staff meeting?

17 A. Never heard that.

18 Q. Have you ever heard Sheriff Johnson say that he
19 wanted officers to "bring me Mexicans" at a staff
20 meeting?

21 A. I've never heard him say that.

22 Q. Have you heard anyone at the Sheriff's Office
23 talking about Sheriff Johnson saying that?

24 A. No. In your complaint - I've heard one of those
25 in your complaint, but I've never heard - I've

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1 you have a corporal, sergeant, and lieutenant.

2 Q. So then all of your patrol - there would be - what
3 is that, then? 24 patrol officers total?

4 A. 36.

5 Q. Okay. Not counting supervisors, just actually
6 patrol officers that are actually out there.

7 A. Well, currently staffing those - we've got some in
8 school. Right now there are nine on a shift. We
9 are set up for ten per shift. When we're full and
10 everybody is out of school, we're ten per shift.

11 Q. So how many patrol officers would you have?
12 Seven?

13 A. It would be seven. Be 28.

14 Q. Okay. Are you familiar with a checking station
15 operation in Green Level in 2011?

16 A. I am.

17 Q. I direct your attention to what's been marked as
18 Exhibit 23, and ask if you can identify it?

19 (Deposition Exhibit Number 23 was marked
20 for identification.)

21 A. This is an operations plan for a checking station
22 to be conducted on June 15th, 2011.

23 Q. And looking at page 2 of this, are these the
24 officers that were assigned?

25 A Yes sir

1 Q. And you have Location 1 and 2, what does that
2 designate?

3 A. This was a two-point checking station, so there
4 were two locations being run simultaneously as
5 part of the same operation plan.

6 Q. And if you look back on page 1, it indicates the
7 coordinating officer as Corporal Sam Ray. What
8 does that indicate to you?

9 A. Special Ops.

10 Q. And what is a coordinating officer?

11 A. That's who is in charge of getting the plan done,
12 following - getting the necessary folks out. He's
13 in charge of the operation.

14 MR. KITCHEN: I actually - let's go off
15 the record for just a second.

16 (Discussion off the record.)

17 MR. KITCHEN: Let's go back on the
18 record.

19 Q. (By Mr. Kitchen) Looking at the last two pages of
20 this exhibit---

21 A. Yes, sir. I'm getting there. My fingers are
22 stuck. Sorry. Okay.

23 Q. ---there are certain names in orange. What do
24 these - what does that indicate?

25 A. Those are the arrests that were made at this

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1 it's 19 - it's the transcript of the Vice/Special
2 Ops meeting. It's 20, the court reporter tells
3 me.

4 A. This?

5 | Q. Yes.

6 MR. SONGER: Thanks, Becky.

7 | A. Okay.

8 Q. A moment ago, I think you indicated that prior to
9 this operation on Calloway Drive that's discussed
10 in this document that there had been some
11 information given to the Sheriff's Office by DEA
12 about Calloway Drive, is that right?

13 A. No. We were familiar with intelligence reports,
14 not just given to the Sheriff's Office. Part of
15 it was an OCEDEF case that had resolved. Part of
16 it was through our normal intelligence briefings
17 with them as part - through our task force
18 officer. One of the pictures in this PowerPoint
19 is the stash house down there at Calloway Drive.

20 Q. Do you have any record of any of the information
21 that was provided by DEA about Calloway Drive in
22 advance of this operation?

23 A. I don't have it with me, no.

24 Q. Does the Sheriff's Office have records of that
25 information anywhere?

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1 A. There were some of those OCEDEF cases turned over
2 to you that contained intelligence. Some of the
3 incident reports that have already been turned
4 over to you and our database contains a lot of
5 that information. These photographs are from one
6 of the stash houses at that location. You've
7 already got that stuff.

8 Q. Okay. Is there anything else besides the incident
9 reports and the OCEDEF cases that were - that may
10 be related to that area?

11 A. I don't have anything else, no.

12 Q. Are you aware of anything else that exists?

13 A. I'm not.

14 Q. If you'd look, please, at the second page of that
15 exhibit. It's Bates Number 179320.

16 A. Okay.

17 Q. And if you'd look at the last line of the first
18 paragraph. This is - and you can look over on the
19 bottom of the prior page. It indicates that
20 Sheriff Johnson is speaking here, is that correct?
21 Is that right?

22 A. Yes, sir.

23 Q. Okay. And if you look at the last line of that
24 first paragraph, Sheriff Johnson says, "How long
25 have you heard me raise Cain about Calloway

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1 Drive?" Do you see that?

2 A. Yes, sir.

3 Q. So was Calloway Drive a place that Sheriff Johnson
4 raised Cain about on multiple occasions?

5 A. I don't know. This is 2008. I mean I don't have
6 any specific recollection other than reading it
7 here.

8 Q. But do you agree that Sheriff Johnson is
9 indicating here that he's brought up Calloway
10 Drive a number of different times?

11 A. I'm sure. I would agree that's what that says.

12 Q. Do you have any reason to doubt that Sheriff
13 Johnson has mentioned Calloway Drive a number of
14 times?

15 A. No.

16 Q. And then if you'd look at the long paragraph of
17 the sheriff speaking about two-thirds of the way
18 down the page. Do you see that?

19 A. Yes, sir.

20 Q. And the fifth line of that paragraph, the first
21 full sentence says, "From Darrell Drive, Rocky
22 Top, Calloway Drive, and Seamsters Mobile Home
23 Park, I have caught enough heck from citizens in
24 this county over the last two years for those four
25 places." Do you see that?

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1 A. Yes, sir.

2 Q. So were the four places identified here frequent

3 locations--- Let me ask that a better way.

4 Was it common for the Sheriff's Office to get

5 complaints about these four places?

6 A. See, once again, I'm captain in CID just going to

7 major at this time, but I mean that's what it

8 says. I will agree with you that's what it says.

9 I don't remember the conversations then.

10 Q. Okay. And are these the type of complaints that

11 you and I talked about a little bit earlier from

12 your command staff meetings where if the sheriff

13 brought up areas that had received a number of

14 complaints like he's doing here that officers

15 would be expected to do something about those

16 complaints?

17 A. Well, certainly if the sheriff had a complaint and

18 wanted it addressed, he would expect the officers

19 to address it. I just don't have any specific

20 recollection. This is '08. This is five years

21 ago.

22 Q. And here the sheriff is talking about Rocky Top

23 and Calloway Drive and Seamsters Mobile Home Park,

24 and he indicates that he's got a number of

25 complaints over the last couple of years about

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1 those places, is that right?

2 A. That's what it says, yes, sir.

3 Q. Okay. So in response to this information,
4 officers would be expected to do something at
5 Rocky Top and Calloway Drive and Seamsters to
6 respond to these complaints?

7 A. Yeah. That's what he's saying, yes.

8 Q. Now if you'd look at the page that's
9 Bates-numbered 179322. Are you there?

10 A. Yes, sir. I'm sorry.

11 Q. No. I'm sorry. I just wanted to make sure. If
12 you look at the top of this page, it looks like
13 the sheriff is having a back-and-forth with
14 Officer Alan Balog, is that right?

15 A. Yes, sir.

16 Q. And was Officer Balog the DEA task force officer
17 at this time?

18 A. Yes, sir, he was.

19 Q. Okay. Now if you look at the first paragraph, the
20 sheriff, as part of this back-and-forth with
21 Officer Balog says, "I am tired of getting call
22 after call after call on these places. Now you
23 helped me last time, and the reason you are here,
24 too - and I am just telling you - you tell me
25 you-all don't have nothing going on in any of

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1 those places, correct?"

2 And then Alan Balog responds, "Correct." Do
3 you see that?

4 A. Yes, sir.

5 Q. And then the sheriff continues, "Then you tell DEA
6 they can hop on with us if they want to or leave
7 us alone. We're going to do what we're going to
8 do - what we've got to do." Do you see that?

9 A. Yes, sir, I do.

10 Q. Okay. So the sheriff is saying that even though
11 Alan Balog and DEA doesn't have anything going on
12 at these places, that the Sheriff's Office is
13 still going to do what they've got to do?

14 A. He's saying that now, but I think earlier on in
15 this conversation they had just completed an
16 investigation down there - an OCEDDEF case and some
17 cases involving the stash house. So those cases
18 were closed out and finished. He even says, "Now
19 you helped me last time and the reason you're here
20 too---"

21 Q. Right.

22 A. But at the point this is going on that those
23 operations had just concluded. I think they talk
24 about it on the second page.

25 Q. Okay. So at the point this is - the point that,

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1 you know, this part of the conversation is going
2 on, the sheriff is saying those DEA operations had
3 already concluded, DEA didn't have anything else
4 going on in these places, but the Sheriff's Office
5 was still going to go in and do what we've got to
6 do, right?

7 A. Or that current OCEDEF had ended, yes. The
8 OCEDEF, meaning that we don't interfere with their
9 case.

10 Q. Right. Okay. Just to be clear, the federal cases
11 had wrapped up and there weren't any federal
12 actions going on in these places anymore, but the
13 Sheriff's Office was still going to go in and take
14 action in these areas, right?

15 A. I don't - he's - Balog saying there is nothing
16 current. That's what it says. I don't know what
17 federal was or wasn't going on. That's what it
18 says on that line, yes.

19 Q. And the sheriff's response to Balog saying there
20 is nothing current is that "You can come with us
21 if you want, but we're going to do what we've got
22 to do"?

23 A. Yes.

24 Q. Okay. And these places that he's talking about -
25 these are the four - are these the four areas that

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1 have been mentioned earlier in this meeting?

2 Seamsters and Rocky Top and Calloway Drive?

3 A. I don't know. I would have to look back and see.

4 The context can change pretty quick.

5 Q. Okay.

6 A. He says these places and I don't see a reference
7 immediately in front of it. It would probably
8 be - you would have to assume what he's talking
9 about there.

10 Q. But you would assume the places he's talking about
11 are the places mentioned - I think it's two pages
12 back - Darrell Drive, Rocky Top, Calloway Drive,
13 and Seamsters Mobile Home Park?

14 A. Sure.

15 Q. And then if you would look, please, at Bates
16 Number 179324.

17 A. Okay.

18 Q. It's the fifth paragraph down, the first lengthy
19 paragraph from the sheriff. Do you see that?

20 A. Yes, sir.

21 Q. The sheriff says, "I have said a lot, but that's
22 why you're here and it will start January 1. Hell
23 will come to these places and the devil is going
24 to come with them, and you folks are going to be
25 the devil. Do you understand what I'm saying?"

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1 What did you understand him to be saying?

2 A. That he said that statement.

3 Q. What did that mean to you?

4 A. What he said.

5 Q. That Hell is coming to the places that are being

6 discussed at this meeting?

7 A. That's an old adage from a cowboy movie. That's

8 just something he said. I think it just means get

9 out and do our job. I didn't take it to mean

10 anything other than what it is.

11 Q. Have you ever heard the sheriff use that

12 expression to describe an operation any other

13 place?

14 A. Sure. That's a common statement. That's his

15 one-liner. People are speeding in Altamahaw.

16 Heck is coming to those places and the devil is

17 coming with them. Drug problem over here, drug

18 problem over there, armed robberies over here.

19 That's just an expression he uses.

20 Q. That's just the general tone that the sheriff sets

21 at the Sheriff's Office? When there is something

22 to be addressed, he says hell is coming to these

23 places?

24 A. I didn't say that was the tone he sets. You asked

25 me is that a term he's used before, and I said

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1 I've heard him use it several times in regards to
2 specific problems.

3 Q. How many times do you think you've heard him use
4 it?

5 A. Several to a dozen maybe.

6 Q. And then the next sentence says, "Vice, I want you
7 to knock-and-talk, if you have to, every mobile
8 home, every house in Calloway Drive, and I want to
9 know who is living there, what's going on." Do
10 you see that?

11 A. I do see that.

12 Q. Is that statement indicating that the sheriff
13 wants the Vice Unit to knock-and-talk every mobile
14 home and every house in Calloway Drive?

15 A. I think it's an expression. It says "if you have
16 to," and it goes on to say, "Ever how you-all
17 devise a plan of action, I don't care, but I want
18 us to follow the constitution." So I think it was
19 just one of those - as we talked way, way earlier
20 today, my recollection of it was, is that he says
21 "if you have to."

22 In other words, "I want you to do what you
23 need to do to resolve the issue there. However, I
24 want us to follow the constitution." He makes
25 that clear, and he left the plan up to them on how

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1 they do it, if you read on in that sentence.

2 Q. Okay. But there was a problem in Calloway Drive,
3 and he wanted it addressed and he wanted the
4 officers to do whatever it took?

5 A. He wanted them to do what it took within the laws.

6 Q. And I think you said earlier you've never heard
7 him talk about sort of possibly doing a large
8 scale knock-and-talk like this at any other area,
9 right?

10 A. Huh-uh. And not even here. I think it was more
11 of a phrase "if you have to, if that's what it
12 takes, let's go do -" he didn't order them to go
13 out and do a large-scale knock-and-talk.

14 Q. I'm sorry. So the record is clear, is it correct
15 that you've never heard the sheriff, you know,
16 talk about possibly doing a large-scale
17 knock-and-talk in any other area?

18 A. That's correct. He didn't in this area either.
19 Let me clarify that. I think you just left me
20 confused there. He didn't order one in this area
21 either.

22 Q. What he said to Vice - "I want you to
23 knock-and-talk, if you have to, every mobile home,
24 every house in Calloway Drive," correct? That's
25 the language that he used?

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